



Patent
Attorney's Docket No. 1033963-000008

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	MAIL STOP
Christopher James Sullivan)	
Application No.: 10/507,077)	Group Art Unit: 3641
Filed: September 9, 2004)	Examiner: John W. Eldred
For: DRAG-PRODUCING DEVICES)	Confirmation No.: 4425

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In an Official Action dated March 27, 2007, the Examiner has indicated that restriction to one of the following distinct species is required under 35 U.S.C. § 121:

- Species I Figure 1
- Species II Figure 5
- Species III Figure 6
- Species IV Figure 7
- Species V Embodiment on page 8, lines 10-24
- Species VI Embodiment on page 8, lines 25-28

Accordingly, Applicants provisionally elect Species I, the subject matter of claims 20-24 and 69, with traverse. Claims 25-68 remain pending but have been withdrawn.

Should the Election become final, Applicant reserves the right to pursue the non-elected inventions in one or more divisional applications and/or to Petition the Election.

This Restriction/Election will not reduce the workload of the U.S. Patent and Trademark Office or simplify prosecution of the application. As set forth in M.P.E.P. §803, there are two criteria for a proper restriction requirement between patentably distinct inventions: (1) the inventions must be independent or distinct as claimed; and (2) there must be a **serious burden** on the Examiner if restriction is not required. This portion of the M.P.E.P. requires that if the search and examination of an entire application can be made without serious burden, the Examiner **must** examine it on the merits, even though it includes claims to distinct or independent inventions.

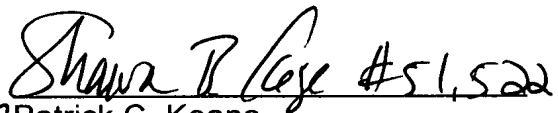
Withdrawal of the Election of Species requirement and a favorable examination and consideration of all remaining claims are respectfully requested.

The Examiner is invited to contact the undersigned to discuss any matters that would serve to expedite prosecution of the application.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: September 27, 2007

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